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**LONG ISLAND OFFICE**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BEAUDIN ROSEMBERT,

Plaintiff,

-against-

WINTHROP UNIVERSITY HOSPITAL,

Defendant.  
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FEUERSTEIN, J.

**ORDER**

13-CV-1074 (SJF)(ARL)

On February 20, 2013, plaintiff Beaudin Rosembert ("plaintiff") filed a complaint against Winthrop University Hospital ("defendant"), alleging violations of Title VII of the Civil Rights Act of 1964. [Docket Entry No. 1]. On May 24, 2013, defendant moved to dismiss plaintiff's claims. [Docket Entry No. 13]. Now before the Court is the Report and Recommendation of Magistrate Judge Arlene R. Lindsay dated December 16, 2013 (the "Report") recommending that the Court grant defendant's motion to dismiss for failure to state a claim. [Docket Entry No. 18]. No objections to the Report have been filed. For the reasons that follow, the Court adopts Magistrate Judge Lindsay's Report in its entirety.

I. Standard of Review

Rule 72 of the Federal Rules of Civil Procedure permits a magistrate judge to conduct proceedings of dispositive pretrial matters without the consent of the parties. Fed. R. Civ. P. 72(b). Any portion of a report and recommendation on dispositive matters to which a timely objection has been made is reviewed de novo. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). However, "when a party makes only conclusory or general objections, or simply reiterates the original arguments, the Court will review the report strictly for clear error." Frankel v. City of

N.Y., Nos. 06 Civ. 5450, 07 Civ. 3436, 2009 WL 465645, at \*2 (S.D.N.Y. Feb. 25, 2009). The Court is not required to review the factual findings or legal conclusions of the magistrate judge as to which no proper objections are made. See Thomas v. Arn, 474 U.S. 140, 150 (1985). To accept the report and recommendation of a magistrate judge on a dispositive matter to which no timely objection has been made, the district judge need only be satisfied that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b); Johnson v. Goord, 487 F. Supp. 2d 377, 379 (S.D.N.Y. 2007), aff'd, 305 F. App'x 815 (2d Cir. Jan. 9, 2009); Baptichon v. Nevada State Bank, 304 F. Supp. 2d 451, 453 (E.D.N.Y. 2004), aff'd, 125 F. App'x 374 (2d Cir. Apr. 13, 2005). Whether or not proper objections have been filed, the district judge may, after review, accept, reject, or modify any of the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

## II. Analysis

No objections to Magistrate Judge Lindsay's Report have been filed. Upon review, the Court is satisfied that the Report is not facially erroneous. Accordingly, the Court accepts Magistrate Judge Lindsay's Report in its entirety, and plaintiff's complaint is dismissed with prejudice. The Clerk of Court is respectfully directed to close this case.

**SO ORDERED.**

s/ Sandra J. Feuerstein

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Sandra J. Feuerstein  
United States District Judge

Dated: January 9, 2013  
Central Islip, New York